



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Takanori SHINOKI et al.)
Serial No.: 09/529,255)
Filed: April 11, 2000) Group Art Unit:1771
SUPPORT MEMBER FOR) Examiner: Jennifer Boyd
SEMIPERMEABLE MEMBRANE)

DECLARATION PURSUANT TO 37 C.F.R. §1.132

Honorable Commissioner of Patents and Trademarks
Alexandria, VA 22313-1450

Sir:

I, Takanori SHINOKI, declare that:

1. I am one of the co-inventors of the invention disclosed and claimed in the application identified in caption.

2. I currently reside at 2-34 Uguisudai Kawanishi-Shi, Hyogo-Ken, 666-0133 Japan.

3. I graduated the engineering department of Kyoto University, Master course of Fiber Chemistry on March 31, 1960.

4. I have been employed since May 1, 1995 by Miki Tokusyu Paper MFG. Co., Ltd., the assignee of the present application, and have been engaged in research and development of new product until the present.

5. Goettmann (USP No. 5851355) describes 0.43-denier x 10 mm polyester staple fibers supplied by Kuraray Co., Ltd., Osaka, Japan (hereinafter "Kuraray") (melting temp. 480.degree. F) (column 4, line 2 to line 4).

However, Kuraray does not provide fibers of 0.43 denier in the market. Goettmann must have misunderstood that polyester short cut EP043 (type NO) has 0.43 denier (see Appendix of the

brochure of Kuraray, Polyester Short Cut EP., attached herewith).

Therefore, double refraction (Δn) of EP043 was measured in the same manner as described on line 9 to line 16 in page 29 of the present specification as follows.

The double refraction (unitless) of polyester fiber was measured in α -bromonaphthalene by means of the polarization microscope using sodium light source under the condition that Berek compensator was inserted into the light path of the polarization microscope and that the temperature and the relative humidity were set to 20 °C and 65% respectively.

The value of double refraction (Δn) of EP043 given was 0.147, being not in the range as specified in the present invention.

Polyester fiber having a double refraction (Δn) of 0.170 or more is specially designed as described in the present specification, not being available in the market at the time when the present invention was made.

6. It is declared by the undersigned that all statements made herein of undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonments, or both, under 18 U.S. Code 1001 and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated this 27th day of March, 2006

Takanori Shinoki
Takanori SHINOKI